

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TELECOM BUSINESS SOLUTION, LLC, *et al.*,

Petitioners,

v.

TERRA TOWERS CORP., *et al.*,

Respondents.

MEMO ENDORSED

X

Civil Action No. 1:22-cv-01761

Judge Lewis A. Kaplan

Magistrate Judge Robert W.

Lehrburger

FILED UNDER SEAL

X

PETITION TO CONFIRM SECOND PARTIAL FINAL AWARD

Petitioners Telecom Business Solution, LLC, LATAM Towers, LLC (collectively, “Peppertree”), and AMLQ Holdings (Cay) Ltd. (“AMLQ,” and together with Peppertree, “Petitioners”) allege as follows:

NATURE OF THE PROCEEDING AND RELIEF SOUGHT

1. Petitioners commence this proceeding seeking the confirmation of the Second Partial Final Award (Concerning Sanctions Upon Respondents for Violations of Tribunal Orders) (the “SPFA”) pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. § 9, and the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the “New York Convention”), 9 U.S.C. § 207. A true and accurate copy of SPFA is attached as Exhibit 99 to the Declaration of Gregg L. Weiner, dated September 16, 2022 (the “Weiner Decl.” or the “Weiner Declaration”).¹

2. Additionally, Petitioners seek pre- and post-judgment interest on the amounts awarded in the SPFA.

¹ The Weiner Declaration in support of this Petition is filed herewith. Unless otherwise noted, all exhibit references herein refer to exhibits to the Weiner Declaration.

Memorandum Endorsement Telecom Bus. Sol. LLC v. Terra Towers Corp., 22-cv-1761 (LAK)

The petition to confirm the second partial final award (“SPFA”) (Dkt 92) is granted. The cross-motion to vacate the SPFA (Dkt 108) is denied. These rulings are made substantially for the reasons stated in petitioner’s papers on these motions, the Court’s prior orders and opinions in this case (Dkt 124, Dkt 182, Dkt 202), and – to the extent relevant – the decision of the Court of Appeals in *Telecom Bus. Sol., LLC v. Terra Towers Corp.*, No. 23-144, 2024 WL 446016 (2d Cir. Feb. 6, 2024) (summary order).

SO ORDERED.

Dated: February 20, 2024

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

Lewis A. Kaplan
United States District Judge